A Supplement to his Majesties most Gracious SPEECH.

Directed to the Honourable House of Commons, by the Commons of England.

TO add to the Works of the greatest Men, if the Nature of the Subject permits or requires it, hath never yet been thought an immodest Undertaking, nor prejudicial to the Honour of the first Author. You are now most about the *Ardua Regni*, and indeed more Arduous Matters never yet came before your Honourable Body. It is not therefore to be conceived that Things of such a great and various Nature should be all summ'd up in a *short Speech*; nor is there reason to expect that the King should charge his Memory by a long recital of Particulars how important soever they may be, and necessary for your Inspection. We therefore in all humility, in the Name of all the *Commons* of *England*, make bold to lay before you such Additional Matters which seem to us to be of the greatest Weight, and absolutely require your Consideration, and your grave Wisdoms to apply some speedy and effectual Remedy, and which are either but slightly touch'd, or wholly pretermitted by the King.

We confess indeed that the King has laid the Scene very large, and wide, when he reckons our Misfortunes, and the Miscarriages that have been this last year, according to this Division, *Such as have been upon Land, and such as have been*

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at Sea. This Diviſion is comprehenſive, extends to all the Calamities we groan under, and if you pleaſe to examine what hath been acted, or what hath been defective for want of acting, on theſe *Two Elements* according to the full Latitude of theſe Expreſſions, you will not fail to diſcharge the Truſt repoſed in you, and to ſee the Cauſe and Occaſion of all our Miſeries.

But however the King hath been ſo large in the General, we conceive he is not ſo expreſs in Particulars; which therefore we humbly crave leave to ſupply and lay before you, by a juſt and impartial Repreſentation of ſuch Inſtances, which nothing in the World can obſcure, palliate, or excuſe; And out of Deference and Reverence to his Majeſty, we ſhall do it according to the ſame Diviſion. And we ſhall begin with the latter.

Such *Miſcarriages as have been at Sea.* Theſe have been ſo terrible that they make all our Hearts ake; the *Merchant* feels the immediate ſtroke, but the influence extends all over the Kingdom. The Loſs of the Effects (how great and conſiderable ſoever) is the leaſt of the Evils; The whole Trade is in danger to be loſt, or mightily diminiſhed. The induſtrious Merchant is exhauſted, and diſcouraged; many have not the Ability, and many not the Will, to venture any more their Intereſts under that unfortunate and impolitick Conduct, they have already ſo often, and ſo dreadfully miſcarried. The King calls this a *Diſgrace*, and indeed it is ſo, but if that was all it was no great Matter; the Merchants we ſuppoſe could bear the *Shame* well enough, if they had but their Effects: And if ſuch *prodigious Loſſes* affect only the *Modeſty* of the Nation, we are pretty well yet; we may *bluſh*, or ſo, and the harm is over. If the Merchants interpret that which hath ſuckt out their very Hearts blood, to be only ſome *Diſgrace* to them, we preſume they are the *modeſteſt* Men living.

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However, let the *Disgrace* be what it will, that might be repaired again, by an honourable Action; But as the case stands this is irreparable, our Honour and Interest are both sunk together. The most beneficial Trade we have is almost, if not altogether, ruin'd; and that apparently by ill Management. The Winds and the Storms the Merchant bears patiently, and his Losses redouble his Vigour and Industry: But when he is ruin'd by his *Guard*, when he is *convoy'd* into Destruction, this admits of neither Remedy, nor Hope; and there is not so much as Chance or Contingency to encourage him: And every Man will conclude 'tis time to give over, and to sit still, rather than to fraight his Ships for the Benefit of Enemies, and run the Risque of such desperate Adventures. The King tells you, That *Trade is Essential to the Welfare of this Kingdom*: Then our *Welfare* is lost with our *Trade*, as being *Essential* to it, and the most flourishing Kingdom in *Europe* is reduced to Barrenness and Penury. Our Money is gone abroad already, and if our Trade, which should supply us with more, is gone after it too, we have nothing left but to lament our Miseries, and with that stinging Aggravation, that they are irrecoverable. The Commodiousness of our Ports, the Skill of our Merchants, the Expertness of our Sea-men, (all the Cost in the World) will stand us in no stead, but to make us more unhappy. All the Advantages are poysoned in the Conduct, and made the Instruments of our Misfortunes.

But here the King tells you, *That he hath Resented it extreamly, and that he will take Care that those who have not done their Duty shall be Punished.* It may be so; but here we crave leave to add this *Supplement*, That we hope this will not hinder, nor abate the *Resentments*, nor take off the *Care*, from bringing the Offenders to condign Punishment. The King's *Resentments* and *Cares* ought to be a spur to yours, and thereby

by yours will do two great things at once, both imitate the King, and conſult the Safety of the Nation; and in order to this, we humbly propoſe theſe following things as highly deſerving your Enquiry.

1. How it came to paſs, and by whoſe means, that the Merchants, after ſo many Petitions and Addreſſes, were for ſome Months detained, and no importunity could obtain either Convoy or Leave to proſecute their Voyage. And they were reſerved to that *Critical Time*, when the *French* Fleet were juſt ready and prepared to receive them. If the *French* themſelves had had the Conduct of our *Fleet*, they could never have timed it better; they are no ſooner got into the *Streights*, but our *Smirna* Fleet is ſent into their Mouths. Put theſe together, that the Merchants were ready many Months before, and all the Application they could make could never procure Liberty, but they muſt go *then*, *juſt then*, when nothing could hinder them from falling into the *French* hands. And we ſhall leave it with any conſidering Man, whether it be poſſible to believe but there was Treachery in the caſe, at whoſe door ſoever it will lye. And it is not for nothing, that our Fleet was ſcarcely out of ſight, bur there was a general Report about the Town, that it was in danger to be taken by the *French*. Which evidently proves, that the Contrivers of their going out were privy to the Secret, and knew well enough what would become of them. To this may be added.

2. What was the Reaſon, and who was in the Fault, that our *Grand Fleet* which ſet out with them, did not ſee them out of danger? Was the *Grand Fleet* deſigned only to Complement Sir *George Rook*, and the Merchant-men, and to bring them ſo far on their way, and wiſh them a good Voyage? If this were all indeed, they did their Parts, and a *Gun* at parting would fully execute their Commiſſion. But if it was

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to protect them from the *French* Fleet, what fair Reason can be given that they left them so soon, or that they left them at all, till they were sure they were clear of danger? Was it upon supposition the *French* Fleet was not out? This is a fine Conduct indeed, to leave matters of this Consequence to Ghesses, and Suppositions. The Merchants had staid long enough, and there were *Frigets* enough and to spare, to have sent to *Brest*, if the matter had been doubted. And we are in a fine Condition, when matters of such importance must be managed by uncertain Conjectures; and when our prime Ministers neither have good Intelligence, nor will give such Orders, whereby they cannot fail of it. But we believe this is not the Fault; and any Rational Man, who impartially considers this Conduct, will conclude, That the Supposition was on the contrary hand, and it was so fatally manag'd, upon the Supposition the *French* were out, rather than upon Supposition that they were not.

3. Another Miscarriage deserving your Enquiry, is, That after this woful Loss, and the exact Knowledge of it, our *Grand Fleet* again set sail; Who was in the Fault that they did not directly sail to the *Streights*, and repair our lost Honour upon our Enemies? The *French* Fleet was then foul with their long Voyage, some of their Ships disabled, and the Fleet certainly weakened, so as they were in no good Condition to resist the force of our Fleet, which was fresh, and so well prepared. This might have redeemed our Loss, at least have compensated it. But instead of this, we do nothing but sail some Leagues to Sea, and then return; as if the Business of our *Grand Fleet* was for nothing else but to make a *Flourish*, to ride in triumph over the Waves, but not to fight with our Enemies. And surely it is matter of Enquiry whose Fault was it that this promising Opportunity was lost? Was it for want of Orders? Or for not executing them? Or for want of ne-

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ceſſary Stores and Proviſions? Each of theſe are unpardonable Miſcarriages, and will lye ſome where, and we hope your Wiſdoms will ſearch this to the bottom. For 'tis a lamentable thing, that the Treaſure of the Nation muſt be thus laviſhed away; that our Navy muſt be rigg'd at incredible Expence, and all for nothing elſe but to *furl their Sails*, ; if the Buſineſs of the Fleet be only *Shew*, and not *Action*, we think a *Paſt-board* Ship at my *Lord Major's Shew* might do as well as any in the Ports, and ſave the Nation a great deal of Money in their Pockets.

4. Notwithſtanding all this, and that our Fleet hath hardly been from home, the *French Privateers* have been more buſy and bold than ever; they lye perpetually on our Coaſts, take our Veſſels out of our Harbours, and ſometimes in the very Sight of the *Fleet*. And what does our *Fleet* ſignify that can ſecure us neither at home nor abroad? Heretofore we uſed to boaſt of our *Wooden Caſtles*, as the Strength and Defence of our Countrey. And the Truth is, our *Ships* and our *Sea-men* are as good as ever, but if they are made unſerviceable and uſeleſs by ill *Conduct*, 'tis all one to have no *Fleet* at all, as none to defend us.

For the Cloſe of this, the King tells you, *It will deſerve your Conſideration whether we are not defective in the Number of our Shipping.* And intimates his deſires that you would ſupply that defect; but except you ſupply the defect of *Conduct*, you may provide as many Ships as will bridle the Ocean, and juſt to as much purpoſe as thoſe you have already. And the Truth is, we have Ships and Men enough, but our want is more *honeſt and able Miniſters*: And if we muſt lay out our Money to ſupply *the Defects of the Navy*, let us do it where the need lyes, and purchaſe *wiſe and faithful Managers*. And we know no Reaſon why *Our* Money may not buy *faithful Counſellers*, as well as the *French* Money can buy *treacherous* ones.

ones. In ſhort, if you make Proviſions for the Navy, we beſeech you to begin at the right end, to provide us *juſt and skilful Miniſters of State*: For let the Ships and Commanders be what they will, while they muſt act under the direction of *corrupt and ſelfiſh Miniſters*, we can never hope to be better. This is an Error in the firſt Concoction, and can never be rectified; in vain therefore do you provide *Ships* and *Supplies* if you do not take care of the *Helm*, and ſee that ſuch *honeſt Guides* are ſet up who will mind their Country more than themſelves, and the publick Intereſt more than their own.

The next Branch of the Diviſion is the *Miſcarriages* (the King calls them the *Diſadvantages*) *at Land*. And theſe indeed are by no means *equal to*, becauſe they are far greater than theſe *at Sea*. The Loſs of *Heydelberg* and *Roſes*, of *Huy* and *Charleroy*; beſides the terrible Defeats in *Two pitched Battles*, the one in *Flanders*, the other in *Piedmont*: In all which, beſides the Towns and Caſtles, the Artillery and Baggage, the *Confederates* loſt very few leſs than *Fifty thouſand Men*. But to come to that in which we were more immediately concerned, and that is the Battle at *Landen*; of which the King tells you. That it *was only occaſioned by the great Number of our Enemies, which exceeded ours*. Now we cannot deny the Truth of this; for it is unaccountable, that an *equal* or *leſs* Number of Men ſhould ſtorm a Camp, and make ſuch terrible Havock and Slaughter, and take moſt of the *heavy Cannon and Baggage*. But this notwithſtanding, there are Two things to be added by way of Supplement.

1. How it came to paſs, that at that Battle, the *French* came to exceed ours in *Number*? The Confederate Army were 80000 Men, and if they had been kept in a Body, or near together, they would have equalled, if not exceeded, the *French*. But by a new *Martial Policy*, a great Detachment was

was ſent away under the Duke of *Wirtemberg*, and another greater to cover *Liege* and *Maeſtricht*; and then, when our Army was weakened, the *French* fought and beat us. And what better could be expected? 'Tis in vain here to ſay, we did not think the *French* would attack us, but that they would direct their Courſe towards *Liege* or *Maeſtricht*; for that inſtead of mending the Matter makes it worſe, and the Miſcarriages greater. For 'tis inexcuſable in a *General* to ſay, he did *not think of his Enemies*; *Non licet in bello bis peccare.* And 'tis a greater Dishonour to a *General* to be ſurpriz'd and taken unawares, than to be beaten: For Victory is an Act of Providence, but the other is his own Negligence, or want of Prudence. The Engliſh of this is, *Luxemburg* outwitted us. And we are like to have a fair Account, when our Enemies are ſtronger in their *Heads* and *Arms*. The King tells you, *'tis neceſſary to augment our Forces*, and hopes you will accordingly ſupply him; but according to the Meaſures of the laſt Summers Campaign, 'tis impoſſible to know what *Numbers* are neceſſary. For you muſt not only provide a *ſufficient Number* to fight, but a *ſufficient Number* alſo to be *ſent away*. And what Number or Purſe is ſufficient for both theſe Purpoſes, we doubt will puzzle your *Arithmetick* as well as ours.

2. The other thing we crave leave to add, is, The unaccountable Conduct of removing our Camp, in ſuch a Juncture, from a ſtrong and well fortified Place, to pitch it in a *Plain*; one would have imagined, when our Army was ſo much weakened, a little foreſight would have taught us to keep in the ſtrongeſt Hold; had we continued in our Camp at *Park Abby*, the *French* would have found it a tough piece of Work to have forced it: And *Luxemburg* knew it, and therefore intic'd us out, and made his Advantage of it. But this is not all; We are not only contented to relinquiſh a Place of Strength, but we muſt encamp ſo awkardly as to place a *River behind*

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us; whereas any Man, who had the experience, but of one years *Campaign*, would eaſily have ſeen the incommodiouſneſs of ſuch an Encampment. And that the *River* ought to have been *before* and not *behind* us; both to hinder the Approaches of the Enemy, and, in caſe of Defeat, to ſecure a ſafer Retreat; and the Event plainly proved it, to our Coſt. For the Situation of our Camp gave far eaſier acceſs to the *French* than they could have had, if they had been to approach us over a *River*; and upon the Victory the *River* ſerved not only to barr a regular Retreat, but made even the confuſed Flight far more deſperate. And it had theſe Two fatal Effects; to keep us longer under our Enemies Swords, and to drown our Men when they fled from them. And in truth, the *River* deſtroyed far more of our Army than the *French* did, or could do. There is great Reaſon therefore that you ſhould *augment our Forces*, that you may be ſure to have enough to make *Bridges*, to ſecure the Retreat of the reſt.

And thus much we thought good humbly to add, with reſpect to the *Martial* Miſcarriages: But there are others of a *Civil* Nature, and God knows theſe are not leſs Fatal to the Welfare of our Nation; it deſtroys us at home, as theſe do abroad. We need not go into *Flanders* for our Deſtruction. We have *Cankers* and *Moths* in our own Bowels, which conſume us as effectually as our Enemies Swords. There is no doubt but you will have Complaints enough from all Quarters, and the Miſeries this poor Nation labours under will reach your Ears from all parts of the Land, and we hope you will relieve them. We ſhall therefore ſelect a very few, out of that great Number, to repreſent unto you.

And the Firſt is, The misimployment of our Treaſure: Our Money is ſpent contrary to the Ends for which you gave it. This is plain to a Demonſtration, you gave laſt year *Five Millions* to defray the Expence of this years War; a Sum in-

deed ſufficient, and to ſpare, and more than ever this Kingdom before paid in one year; and yet neither our *Sea-men*, nor our *Land Forces* are paid. A Proclamation was iſſued ont to continue the *Sea-men* in pay all the Winter, which is only to multiply an unneceſſary Charge, and without the leaſt Advantage; but this was only to prevent the Murmurings and Complaints of the *Seamen*, but this will not do; for the Crys of their Families, and their own want of Bread, makes them deſperate, and their Complaints fill the Ears of the Government, and of all Men beſides. Their Wives and Children live upon Truſt, in hopes of Repayment when the Summers Expedition is over; but now their Creditors are weary of Truſting, and will give them no more Credit, as having no proſpect when they ſhall be paid. And this is the ſtate of moſt of our *Sea-men*, and 'tis diſmally ſad that they muſt venture their Lives, and *themſelves and their Families* be ſtarv'd for their Pains. The Caſe is not one jot better with the *Land Forces*: They have neither *pay nor ſubſiſtence Money*. And to give you one Inſtance for all; in the *Tower Hamlets* ſome hundreds are Quartered, and they liv'd ſo long upon their Hoſts that they both Grumbled, and upon the ſame Reaſon, for *want of Pay*, one from the *Government*, the other from the *Souldier*; inſomuch that a Fortnight ſince, my Lord *Lucas*, (no doubt by ſuperiour Direction) ſent the Officers of the reſpective Pariſhes to all the Publick Houſes, acquainting them, That if they would Truſt each Souldier as far as 3 *s.* a Week, he would be reſponſable, and ſee them paid.

This is Demonſtration that our *Forces* are not paid; and they muſt either ſubſiſt upon *Truſt*, or upon *Freequarter*, or *Periſh*.

This is not only the Caſe of the *Souldiers*, but of all other Perſons concerned relative to the War. Thoſe who have furniſhed Naval Stores, and Arms; the Work-men who belong to the reſpective Yards, &c. they are all in the ſame Condition;

tion ; and have no hopes, but the Expectation of *what you will give.* And now let us ask, If any mortal Man can believe that *Five Millions* was not abundantly ſufficient to defray the whole Expence of this year? nay, Whether the one half of it be not more than ſufficient? And yet the *publick Debts* ſtill increaſe upon us, and by a ſtrange *State Paradox*, the more you give, the more you owe. By this Rule, your Supplies will but ſet us further behind hand ; for if *Five Millions* have run us ſo much in Debt, what will *Ten Millions* do? In ſhort, you may give what you will, but without ſome effectual Care, and more than hath hitherto been taken, the Iſſue will be always the ſame ; for if when you have given more than enough, the Forces, *&c.* are not paid, neither will they, if you give Ten times more. For when our Money is once diverted into a wrong Channel, the ſame Stream will carry away all we have, and with the ſame eaſe and ſecurity. This therefore is an unſufferable *Grievance*, in whoſe hands ſoever it lyes ; and is no leſs than robbing the Nation, and abuſing your Supplies. Give us leave to ſpeak a *ſad* but a *plain Truth* ; if any *Pentioner* Pockets up any of the Publick Moneys, he does not only betray his Truſt, and his Countrey, but he devours the Blood of the *Souldiers* and *Sea-men*, and feeds upon the Spoils of the People. The Eyes of all the Nation are upon you in this particular : And if you do not make a ſtrict and impartial Enquiry into this laſt years Expence, they will be tempted to think, what ſome do not ſtick to ſay, not only that you do not care what becomes of our Money, but that you dare not dive too deep into the Accounts, leaſt your own Names be found there ; and you are forced to connive at other Mens Guilts, leaſt you diſcover your own. We therefore earneſtly pray you, for your own ſakes as well as ours, that *before* you give any more Money you will carefully examine the Publick Accounts, and ſee firſt what

what is become of the laſt. That you will diligently inſpect through whoſe hands it paſſed, to whom diſpos'd, and for what uſes? And we do not doubt but you will find at the leaſt the one half of it imbezled, or miſapplied; and we hope you will not only detect and puniſh whom you ſhall find Guilty, but make them refund, and reſtore alſo, what in plain Engliſh they have *ſtolen* from the Nation.

2. The Exportation of Corn in a time of Scarcity, or (which is all one) to make a time of Scarcity. Wheaten Bread is now in *London* 12 *s.* 8 *d.* a Buſhel, and White Bread 18 *s.* and Corn all over the Kingdom bears ſome Proportion to this, and riſes in the Price, reſpectively to the different Places; and is Three times dearer than uſual, eſpecially conſidering the ſeaſonable Harveſt. And this is plainly the Effect of Exportation; and we have *Dutch* Factors all over the Nation, raiſing the Markets, and ſtarving the Poor. And we cannot but take notice of a late Proclamation, both here and in *Ireland*, forbidding under ſtrict Penalties to tranſport Corn to *France*; which is a pleaſant Buſineſs, when 'tis already, by Act of Parliament, made Treaſon to correſpond there. But this Proclamation has two Edges; the one was to lay the Odium of the Dearth upon we know not who, *Jacobites*; as if all the Corn had been by their means tranſported into *France*. And this hath been Artificially and Induſtriouſly ſpread through the Countries; but this had like to have ſpoil'd the Project, for the Countrey took the Alarm, and was glad of any occaſion to keep their Corn at home, and roſe unanimouſly to defend their Corn from *French Harpies*. But upon ſecond thoughts, it was judg'd convenient to ſend ſome Souldiers to the Ports, and other Places, to keep the People in order, and patiently to ſee their Corn carried away before their Eyes. From whence 'tis notorious enough, that our Corn goes to *Holland*, and not to *France*.

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And accordingly the other End of the Proclamation is plainly to encourage the Tranſporting it to *Holland*. A Prohibition to *France* is a tacit Direction to *Holland*. It had not been very plauſible, nor perhaps ſafe, to have ſent out Orders for the Tranſporting Corn to the *Low-Countreys*, but this might be done as well by a ſide Wind; 'tis but proclaiming that none muſt be ſent to *France*, and then the Inference is obvious, there is no danger in carrying it to *Holland*; nay, not to leave the matter to Inference and Collection, there are poſitive and direct Orders, in the Ports of *England* and *Ireland*, not only to permit the Factors for Corn to Buy and Ship it, but are ordered Convoys to guard them to *Holland*. From whence we plainly ſee from what Quarter our Scarcity comes, and what great Compaſſion we bear to the Poor of *England*. Let the *Dutch* have but Plenty, and it is no matter if our *Poor* be Starv'd. We need ſay very little in this particular to awaken your Diligence in examining it; nor what great Care our Laws have taken to preſerve equal the Prizes of Corn, by the Proviſions they make againſt *Reſtrators*, *Foreſtallers*, and *Monopolizers*. For if you do not take ſome Care, and that ſpeedily too, the Poor will carve for themſelves, as they have already in ſome Places: Hunger breaks through Stone Walls; and if Famine comes on us, by your neglect, you muſt thank your ſelves, if the Poor fill their Bellys at your Coſt, and eat up what you had provided for your own Meals.

3. The Corrupt Adminiſtration of Juſtice. This is the worſt Crime in a Commonwealth: A Murtherer, or Thief, breaks the Laws; but a Corrupt Judg both breaks and debauches it, and poyſons the Fountains of Juſtice. Do we not daily ſee the *Judges* acting under the Directions of the *Miniſters of State*, as if a *Judg* was ſworn not be guided by the *Laws*, but by the *Secretaries*. The poor and ſcandalous Acts of picking up, and cheriſhing the moſt profligate Villains to make *Evidences*

of; as in the Case of *Fuller*, *Holland*, &c. The intolerable and illegal Fines; when a Man not worth a Farthing shall be Fined Two or Three hundred Pounds, contrary to the direction of Law, which always limits Fines to Mens Abilities, and with a *Salvo contenemento* of this every Sessions gives notorious Instances; and particularly the last, when one Mr. *Cooke*, upon the single Evidence of *a Beggar, and vagabond Papist*, and that Evidence not direct to the Fact neither, but only by hear-say; for she swears she saw him set a Seal, and heard Mrs. *M.* say, it was the Seal of my Lord *N.* and this is all that came up to the Indictment; and yet upon such an Evidence the Man was found Guilty, and Fined 200 *l.* and Mr. Recorder, by wonderful Eloquence, made him believe the Court did him a favour in not setting him in the Pillory. And is not this, think you, an admirable Course of Justice, when an Evidence by *hear-say* shall be sufficient to convict a Man? And if you please to consult the Records of the Sessions, you will find a great Number of such shameless Cases. Perhaps it may be said here, that the Persons convicted either were, or were suspected to be *Jacobites*, and so no Friends to the Government, and no matter what became of them: But we are not Pleading for the *Jacobites*, but for Justice; and Justice is blind, and knows no Parties. And we presume under former Governments (when these things were complain'd of) the respective Persons under such Sentences were not thought to be Friends to the respective Governments. If the Administration of Justice is limitted to Persons and Parties, and not to Things and legal Proofs, 'tis partial, and corrupt; and we are not governed by the plain Rules of Law, but by Faction and Passion.

But if this was the worst, and such partial distributing of Justice concerned only the Subjects Liberty and Property, it might be the better borne. But in the Case of Life it is just

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the ſame; theſe Men make no more to Hang a Man contrary to Law, than to Fine him. The Caſe of Capt. *Aſhton* you all know, and there hath long ſince an Opinion been given of it in the *Houſe of Peers*: But there is a freſh Inſtance of one *Axderton*, a Printer, who was Murther'd by the Bench againſt the plain Words, and expreſs Direction, of the Law in that very Caſe made and provided. The whole is very well worthy your Notice; but we ſhall not take up your time with mentioning the want of One, much leſs of Two, direct Evidences to the Fact charg'd upon him (which the Law expreſly requires in the Caſe of Treaſon) nor the indirect means to induce the Jury to find him Guilty, by *Brow beating*, *Threatning*, and ſuch like; which ſo over-awed the Jury, that moſt of them brought in a Verdict directly contrary to their Judgments. To omit theſe, which deſerve your Enquiry; the ſingle Queſtion is, Whether *Printing be Treaſon*, according to the Laws of *England*? He was indicted on the Statute of Treaſons, 25 *Ed.* 3. Now 'tis as plain as the Sun that Printing could not be Treaſon, by the expreſs Words of that Act; for Printing was not in uſe, nor known, when that Act was made: And it is to be remembered that that Act limits Treaſons, and expreſly declares, that there ſhall be no Treaſons for the future but what are there expreſſed, but what ſhall be declared in Parliament. If it be ſaid, though it be not there expreſly, it is vertually, and by interpretation: But pray what kind of Treaſons are thoſe which are virtual, and interpretative Treaſons? Our Laws know no Treaſons by inference and conſequence, but what are plain and expreſs in the Law. But whoſe Interpretation is this? The Interpretation of the Judge, or of the Law? The Judge hath interpreted it ſo indeed, and hath hang'd a Man upon it, but the Law hath interpreted it quite otherwiſe; and the Law is ſo far from interpreting Printing to be Treaſon, that it hath plainly declar'd

clar'd that it is not ſo, and conſequently not within that Act. The Statute 14 *Car.* 2. hath made Proviſion for the very Caſe, hath taken notice of and aſſigned Puniſhments for the *Printing Seditious Libels*, and ſome of them hath left to the Diſcretion of the Bench; but with this negative Clauſe expreſly, *not extending to Life*. This is a plain Caſe, that Printing Seditious Libels is not interpreted Treaſon by the Law, but the contrary; and if it be not Treaſon by the Conſtruction of Law, then by the ſame Conſtruction it is not Treaſon within the Statute of Treaſons. For the Fact is not expreſs in that Statute, nor could be; the Queſtion is only concerning the Conſtruction of it, and the Law hath already conſtrued it not to be Treaſon, *as not extending to Life*. So that the Conſtruction of Law, is in direct oppoſition to the Conſtruction of Judge *Treby*; and he hath hang'd a Man in downright contradiction to the very Words of the Law. Now 'tis to be remembered, That this is Law, of Printing, is your own; and you have made it your own Act, by reviving it; and to have your own Laws invaded openly before your Faces, is ſuch an unparallel'd Boldneſs, that no Words can ſufficiently expreſs; and in the Caſe of Life, 'tis Murther beſides. We are no Patrons of *Seditious Libels*; Let the Printers of them be puniſhed, but then let them be puniſhed according to Law, and not by Arbitrary Conſtructions and Wreſtings, which will ſerve (if the Judge be ſo diſpos'd) to hang any Man in the World: For if he conſtrue one thing to be Treaſon, contrary to the expreſs Words of Law, he may by the ſame Reaſon conſtrue another thing to be ſo; and ſo at length our Lives and Properties ſhall not be judged by juſt Laws, but by unjuſt Men.

Upon the whole; If the Current of Juſtice be ſuffered to run in the ſame Channel, no Man is ſafe, your ſelves are as obnoxious as others; for when once you come to be out of Parlia-

Parliament, and the Seſſions is over, you are equally liable to the Laſh of theſe Men with our ſelves. You may make what Laws you pleaſe, but if you do not take care that they are more honeſtly Exccuted, your good Laws will ſtand you in as little ſtead as they do us. The *Engliſh Laws* indeed are the beſt in the World, but if they are adminiſtred by the worſt of Men, we are never the better; there is nothing more merciful and tender, in the Caſe of Life, than our Laws, allowing all the favourable Conſtruction and Latitude that the Caſe can admit of; but if they ſhall be crampt and pincht by a corrupt Judg, to the deſtruction of a Priſoner, what good does the Equity and Favour of the Laws do him? Our Laws are ſo very averſe to *Cruelty and Bloud*, that they will not permit a *Butcher* as a Jury-man to paſs upon Life and Death; but what does that ſignify, if *Butchers* ſhall be permitted to ſit upon the Bench.

4. The Poſture of *Foreigners* within this Kingdom. This is a matter of high Conſequence and requires a ſtrict and cautious Eye, not only of your ſelves, but of every *Engliſh-man* beſides. *Foreigners* have always a ſeperate Intereſt from that of the Nation; and if for Numbers, or upon any other Conſideration, they become formidable, 'tis high time for the *Natives* to look to themſelves, and to provide for their own Safety and Security. This Kingdom hath already ſmarted under Two fatal Inſtances; the one of the *Saxons*, the other of the *Danes*; who being reſpectively called in, upon the pretence of Aſſiſtance, ſo ſoon as opportunity was ripe, made themſelves Maſters of the Country, kill'd our Princes and Nobles, and made the reſt their Slaves and Vaſſals. The Memory of this continues freſh among us, and is proverbially tranſmitted to Poſterity; and ſo long as the Name of *Lord Dane* remains, will never be forgotten. And our own dear bought Experience, one would think, ſhould teach us Wiſdom

in this Caſe, and make us beware of Foreigners, and careful how we truſt them. Now we need not remind you, that a great part of the Military Force of this Kingdom is in the hands of Foreigners; moſt of the Commanders of the Army are Strangers to us, know not our Laws and Conſtitution, nor have any kindneſs for them, but have, muſt have Ends of their own divided from that of the publick Welfare of the Nation, and People. Give us leave here to wonder, and let all the World wonder with us, That the *Eccleſiaſtical Bench* in the *Houſe of Lords* ſhould not only *Vote* for this, but make *Speeches* in defence of it. It was a ſmart Reply made by a noble Lord, *That he might in a ſhort time ſee Dutch Biſhops in that Bench as well as Dutch Officers in the Army:* That our Souls might as ſafely be committed to their care, as our Lives, Liberties, and Eſtates. And in truth if we give the Sword into their hands, which governs all things, we may ſoon have not only Dutch Biſhops, Dutch Presbyters, and Dutch Commanders; but Dutch Lords, Dutch Commons, and Dutch every Thing; and *Lord Dutch* may become as formidable to us, as *Lord Dane* was to our Anceſtors. For 'tis as clear as the Light, give them Power to defend us, and they have Power to ruin us; and thoſe who will Fight for us only for their Intereſts, will Fight againſt us upon the ſame Inducement; and if they can find their Account in it, we may ſoon feel the effects of their Valour, in ſubduing us, when they are not able to maſter our Enemies. A fat Morſel is good prey to a Souldier of Fortune: And if he can make his Fortune at our Coſt, we muſt own our ſelves beholding to him, if he does not carve liberally for himſelf, though it be upon our *Bones and Carcaſes.*

And if you pleaſe to conſider the Poſture of Foreigners amongſt us, you will find not only that moſt of our Troops are compoſed of our old Task-maſters the *Danes*, and of the *Dutch*,

Dutch, and the *French Refugees*: But, (which extreamly ſharpens this Conſideration) that there are alſo a great Party of Foreigners in the heart of the Nation, who may ſoon be, if they are not already, prepared to ſecond any Attempt, if not to act in conjunction with them. This Inference is ſo natural, that nothing but the utmoſt Forgetfulneſs of our ſelves can make us careleſs on that hand: But if there be violent Preſumptions, nay, apparent Evidences, that ſome great Matter is brewing among them, 'tis no leſs than deſperate Infatuation to lye ſecure and negligent under ſuch threatning Dangers in our own Bowels. It is not unknown to you how great a Number there are of *French Refugees* in and about this City, who are in full Union with their Brethren in the Army; nor what Military Authority and Power the Duke of *Lemſter*, their Countryman, hath in this Kingdom; nor can it be doubted but he hath great Authority and Influence over them, and manages them according to ſuch Methods and Councils as may beſt anſwer the Ends which are driven at. That accordingly moſt of the *French Refugees*, who are able to bear Arms, are actually Arm'd and Liſted under diſtinct Officers, and of whom the ſaid Duke is Chief. That there have been ſeveral Sums of Money diſtributed to them, and ſome in particular by the ſaid Duke, in all probability to ſupply themſelves with Weapons, to uſe upon ſuch Occaſions as they ſhall be call'd to when Opportunity ſerves. That, in purſuance of this, ſeveral thouſands of Arms have been made and bought up by them; and that in particular one Gunſmith in the *Minories* contracted with ſome of the *French Refugees* for 500 Caſe of Piſtols, of a ſize ſhorter than Holſter Piſtols, and which he accordingly made, and half of the Money was paid him before hand, and the reſt at the delivery of the Piſtols. And that other Gunſmiths in the *Minories* had full Imployment from the ſame hands, in the ſame Work; and 'tis ſaid they have not bought up leſs than

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8000 of these Cases of Pistols. It is here matter of your serious Consideration, what use these kind of Pistols are to be put to? It is certain they are not for Imployment in the *Field*. And it is as certain they are fitted for the Work they drive at; and we shall leave it with you, whether it does not portend some sudden and secret Execution, of a barbarous Nature? That accordingly several threatning Speeches have been given out, That some Persons at a certain time should have their *Throats Cut*; and some of them are grown to that Confidence, as to make particular Threatnings; which shews they are almost sure of their Design. A *French* Minister sent several Letters to a very considerable Clergy-man, threatning him, *That he was a dead Man; That he was to buy a Halter for himself; That there was a Gallows prepared for him, which he must first ascend and mount*. Further yet, That there have been not long since 700 Tickets, of mysterious Figures and Characters, scatter'd about St. *Anns* Parish among the Habitations of the *French Refugees*, and thrown into several Houses, which plainly import some secret and mysterious Design. And, to close up all, there are almost every Week great Numbers of *French Refugees*, and other Foreigners, brought over hither from beyond the Seas, on pretence to go and inhabit in *Ireland*, who notwithstanding are kept in *England*, and no doubt to augment their Forces, and strengthen the Confederacy.

And now, Gentlemen, you that are the Trustees and Representatives of your Countrey, we intreat you impartially to reflect what these things mean? Is it not apparent that a Design is hatching, and a great Storm gathering; which, when it breaks, may overwhelm you and your Posterities, if not prevented? Is it possible for you to believe your Lives, Liberties, and Estates, safe in such Circumstances? Did ever a wise Nation suffer Foreigners to become formidable in their own Countrey? Look into the Records of Time, and see if there

there be one ſingle Inſtance in the whole World, where *Strangers* had gain'd Power and Force enough, they did not make uſe of it to advance themſelves, and ruin the *Natives*? Was there no viſible ground of Jealouſy, the very Nature of the thing would alarm your uttermoſt Caution: And you have beſides that the Experience of all Ages, to quicken your Councils in this Caſe. But when Men of ſeperate Councils, Meaſures, and Intereſts from yours, when they are arm'd with Power and Number too; when there is apparently a bold Deſign actually form'd, and run through the whole Party, in ſuch a Caſe, the Danger is brought home to your own Doors; and 'tis high time to awake out of Sleep, and to apply your utmoſt Wiſdoms to the providing a ſpeedy and effectual Remedy.

5. We have but one thing more to trouble you with, though it may not ſeem *Grievous* in the Nature of it, yet in the Conſequence it may be a more dreadful *Miſcarriage* than any of the reſt; and if you do not Remedy this, you can Remedy none of the other; and that is, *The Poſt-poning the Redreſs of Grievances, to the giving Supplies.* This is lodg'd in your own Houſe, and you have hitherto fatally laboured under it; you your ſelves know, by the Experience of your former Seſſions, and all the Kingdom knows, that ſo ſoon as you have given our Money, the Court hath done with you; and our *Grievances* remain the ſame, or grow greater, and you riſe *re infecta*; you have done the Buſineſs of the *Court* indeed, but not that of the *Countrey*; and ſo your great *Truſt* is but half executed, and the leaſt half too. The Queſtion therefore here is not concerning the Nature of Things, or the Preference of one before the other, (though yet we believe the Redreſſing our Grievances is every way as neceſſary to our Welfare as, if not preferable to, the giving Supplies) but concerning the *Order of Time.* We pray you let that be

done *first*, which otherwise will not be done at all. We are sure the *Court* will permit you to sit to give Money: And we are as sure you will not sit to Redress our Evils, if you give that *first*. Money will be welcome first, or last; but our Grievances must be remedy'd first, or never. Let your Time therefore be suted to the Occasions. First examine the State of the Nation; consider the Miscarriages at Sea, and Land; and apply effectual Remedies to the respective Miseries we groan under; and then we shall more chearfully part with our Money.

And thus we have presumed to lay before you some part of those manifold Miscarriages our unhappy Nation hath lately felt, and still feels the smart of; and which we humbly conceive highly require your Consideration. We hope this humble Address will not be unacceptable to you: And we are sure we have herein done our duty to God, to your Selves, and to our Country. However, if our humble Supplication will not deserve the *Thanks of the House*, we perswade our selves the subject Matter of it will deserve *your Care*, which is the utmost Aim of

Your humble Petitioners,

THE

COMMONS of ENGLAND.

FINIS.